



OFFICE OF THE COMMISSIONER OF INSURANCE
STATE OF LOUISIANA

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The Honorable John B. Breaux
United States Senate
503 Hart Senate Office Building
Washington D.C. 20510-1803

Dear Senator Breaux:

In anticipation of the resumption of debate by Congress on the Patients' Bill of Rights, the Louisiana Health Care Commission, a 44-member, multi-disciplined advisory board, would like to put forth to Congress, as a model to follow in the development of a federal proposal, the Louisiana Medical Necessity Review Organizations (MNRO) Act, found in the Louisiana Revised Statutes, Title 22:3070, et. seq.

With the passage of MNRO, this commission strongly believes that Louisiana implemented appropriate procedures and safeguards addressing the appeal rights of patients as well as the process by which medical decisions must be made and by whom. More specifically, MNRO establishes an appeal and grievance process to resolve disputes and to enforce decisions for consumers regarding medical necessity determinations. This process also includes access to an independent panel of medical experts for assessment of adverse medical decisions that are disputed by a covered person with the concurrence of the treating health care provider. In addition, this process includes access to an expedited review for patients with urgent medical conditions.

A number of the controversial issues in the Patients' Bill of Rights, still being debated by Congress, have been addressed by the Louisiana legislature. While both the Senate and House bills passed contain language addressing specific causes of action, the Louisiana statute provides general liability provisions, only, for negligence and gross negligence cause of action in both state and federal court.

If you need additional information regarding patient protections in Louisiana, please have your staff contact Denise Cassano, Executive Director, Louisiana Health Care Commission at 225-342-0819.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Fraiche", is written over the word "Sincerely,".

Donna Fraiche, Chair
Louisiana Health Care Commission

DF:dec